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Attorneys for Plaintiff
UNITED STATES OF AMERICA

UNITED STATES DISTRICT COURT

FOR THE CENTRAL DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

DURK BANKS, et al.,

Defendants.

No. CR 24-621(B)-MWF

[PROPOSED] ORDER CONTINUING TRIAL
DATE AND FINDINGS REGARDING
EXCLUDABLE TIME PERIODS PURSUANT
TO SPEEDY TRIAL ACT

[PROPOSED] TRIAL DATE: 01/20/2026

**[PROPOSED] PRETRIAL
CONFERENCE DATE:** 01/07/2026

The Court has read and considered the Stipulation Regarding Request for (1) Continuance of Trial Date and (2) Findings of Excludable Time Periods Pursuant to Speedy Trial Act, filed by the parties in this matter. The Court hereby finds that the Stipulation, which this Court incorporates by reference into this Order, demonstrates facts that support a continuance of the trial date in this matter, and provides good cause for a finding of excludable time pursuant to the Speedy Trial Act, 18 U.S.C. § 3161.

1 The Court further finds that: (i) the ends of justice served by
2 the continuance outweigh the best interest of the public and
3 defendant in a speedy trial; (ii) failure to grant the continuance
4 would be likely to make a continuation of the proceeding impossible,
5 or result in a miscarriage of justice; (iii) the case is so unusual
6 and so complex, due to the nature of the prosecution and the number
7 of defendants that it is unreasonable to expect preparation for
8 pre-trial proceedings or for the trial itself within the time limits
9 established by the Speedy Trial Act; and (iv) failure to grant the
10 continuance would unreasonably deny defendant continuity of counsel
11 and would deny defense counsel the reasonable time necessary for
12 effective preparation, taking into account the exercise of due
13 diligence.

14 THEREFORE, FOR GOOD CAUSE SHOWN:

15 1. The trial in this matter is continued from October 14,
16 2025, to January 20, 2026. The Court sets the following pretrial
17 schedule:

18 a. Expert disclosure deadline:

19 i. Government disclosure¹: September 1, 2025

20 ii. Defense disclosure: November 1, 2025

21 b. Pretrial motions other than motions *in limine* or
22 motions regarding experts:

23 i. Motions due: October 6, 2025

24 ii. Oppositions due: October 27, 2025

25 iii. Optional replies due: November 10, 2025
26

27 ¹ The government may promptly supplement its disclosure and/or
28 notice one or more rebuttal experts based on disclosures made by the
defense on November 1, 2025.

iv. Hearing date: November 17, 2025

c. Government's disclosures pursuant to Fed. R. Evid.

404(b): November 17, 2025

d. Motions *in limine*, including motions regarding
experts:

i. Motions due: December 8, 2025

ii. Oppositions due: December 22, 2025

iii. Hearing date/pretrial conference: January 7, 2026

2. The time period from the date the stipulation to continue
was filed to January 20, 2026, inclusive, is excluded in computing
the time within which the trial must commence, pursuant to 18 U.S.C.
§§ 3161(h)(7)(A), (h)(7)(B)(i), (h)(7)(B)(ii), (h)(7)(B)(iv), and
(h)(6).

3. The court further finds that defendant DURK BANKS
("defendant BANKS") is joined for trial with codefendants as to whom
the time for trial has not run and no motion for severance has been
granted. Pursuant to 18 U.S.C. § 3161(h)(6), the time period from
the date the stipulation to continue was filed to January 20, 2026,
inclusive, constitutes a reasonable period of delay for defendant
BANKS, who is joined for trial with codefendants as to whom the time
for trial has not run and no motion for severance has been granted.

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1 4. Nothing in this Order shall preclude a finding that other
2 provisions of the Speedy Trial Act dictate that additional time
3 periods are excluded from the period within which trial must
4 commence. Moreover, the same provisions and/or other provisions of
5 the Speedy Trial Act may in the future authorize the exclusion of
6 additional time periods from the period within which trial must
7 commence.

8 IT IS SO ORDERED.

9
10 _____
11 DATE

HONORABLE MICHAEL W. FITZGERALD
UNITED STATES DISTRICT JUDGE

12 Presented by:

13 _____
14 /s/
DANIEL H. WEINER
Assistant United States Attorney